

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

MASSACHUSETTS MUTUAL LIFE INSURANCE
COMPANY,

Plaintiff,

V.

DB STRUCTURED PRODUCTS, INC., et al.

Defendants.

Civil Action No. 3:11-30039-MAP

MASSACHUSETTS MUTUAL LIFE INSURANCE
COMPANY,

Plaintiff,

V.

RBS FINANCIAL PRODUCTS INC. (F/K/A GREENWICH CAPITAL FINANCIAL PRODUCTS INC.), et al.

Defendants.

Civil Action No. 3:11-30044-MAP

MASSACHUSETTS MUTUAL LIFE INSURANCE
COMPANY,

Plaintiff,

V.

DLJ MORTGAGE CAPITAL, INC., et al.,

Defendants.

Civil Action No. 3:11-30047-MAP

MASSACHUSETTS MUTUAL LIFE INSURANCE
COMPANY,

Plaintiff,

V.

CREDIT SUISSE FIRST BOSTON MORTGAGE
SECURITIES CORP., et al.,

Defendants.

MASSACHUSETTS MUTUAL LIFE INSURANCE
COMPANY,

Plaintiff,

V.

JPMORGAN CHASE BANK, N.A., et al.,

Defendants.

MASSACHUSETTS MUTUAL LIFE INSURANCE
COMPANY,

Plaintiff,

V.

GOLDMAN SACHS MORTGAGE COMPANY, et al.,

Defendants.

MASSACHUSETTS MUTUAL LIFE INSURANCE
COMPANY,

Plaintiff,

V.

IMPAC FUNDING CORPORATION, et al.,

Defendants.

MASSACHUSETTS MUTUAL LIFE INSURANCE
COMPANY,

Plaintiff,

V.

HSBC BANK USA, NATIONAL ASSOCIATION, et
al.,

Defendants.

MASSACHUSETTS MUTUAL LIFE INSURANCE
COMPANY,

Plaintiff,

V.

COUNTRYWIDE FINANCIAL CORPORATION, et
al.,

Defendants.

Civil Action No. 3:11-30127-MAP

Civil Action No. 3:11-30141-MAP

Civil Action No. 3:11-30215-MAP

MASSACHUSETTS MUTUAL LIFE INSURANCE)	
COMPANY,)	Civil Action No. 3:11-30285-MAP
)	
Plaintiff,)	
)	
v.)	
)	
MERRILL LYNCH, PIERCE, FENNER & SMITH)	
INC., et al.,)	
)	
Defendants.)	

**JOINT MOTION FOR APPROVAL OF STIPULATION AND [PROPOSED] ORDER
AMENDING THE EXPERT DISCOVERY SCHEDULE**

WHEREAS, pursuant to the March 5, 2013 Order in 3:11-cv-30039 (Dkt. No. 117), 3:11-cv-30044 (Dkt. No. 101), 3:11-cv-30047 (Dkt. No. 112), 3:11-cv-30048 (Dkt. No. 136), 3:11-cv-30094 (Dkt. No. 173), 3:11-cv-30126 (Dkt. No. 162) , 3:11-cv-30127 (Dkt. No. 89), 3:11-cv-30141 (Dkt. No. 95), the March 28, 2013 Order in No. 3:11-cv-30285 (Dkt. No. 141), and the April 10, 2013 Order in No. 3:11-cv-30215 (Dkt. No. 145) (collectively, the “Expert Scheduling Orders”), Plaintiff on April 12, 2013 designated and disclosed information concerning its sampling expert, Dr. Charles Cowan;

WHEREAS, the Expert Scheduling Orders permit Defendants to take Dr. Cowan’s deposition and file their *Daubert* motion no later than May 21, 2013;

WHEREAS, Defendants noticed the deposition of Dr. Cowan, but counsel for the parties have been unable to identify a date on which participating counsel and the witness are available for the deposition prior to May 21, 2013;

WHEREAS, the parties have scheduled Dr. Cowan’s deposition for May 21, 2013, and have agreed to minor adjustments to the Expert Scheduling Orders to allow Defendants time to finalize their *Daubert* motion following completion of the deposition;

WHEREAS, the scheduling adjustments do not alter the date by which all briefing on Defendants' *Daubert* motion will be completed (which remains July 2, 2013), or the date that the Court has set for a hearing on the motion (which remains July 11, 2013);

ACCORDINGLY, IT IS HEREBY STIPULATED AND AGREED by and between MassMutual and Defendants, through their undersigned counsel, subject to approval of the Court, that the Expert Scheduling Orders be amended as follows:

- i. Defendants, if they wish, may take Plaintiff's expert's deposition and file their *Daubert* motion challenging Plaintiff's expert no later than May 24, 2013. By said date, Defendants also shall designate and disclose information regarding their sampling expert, if any, in accord with Fed. R. Civ. P. 26(a)(2).
- ii. Plaintiff, if it wishes, may take Defendant's expert's deposition and file its opposition to Defendants' *Daubert* motion by June 20, 2013, to which Defendants may reply by July 2, 2013.

IT IS SO ORDERED.

Dated: _____, 2013

Michael A. Ponsor
United States District Judge

Dated: May 9, 2013

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CERTIFICATE OF SERVICE

I hereby certify that this document, filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on this 9th day of May, 2013.

/s/ Kathy B. Weinman

Kathy B. Weinman